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NOV 24 2020	
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*Attorneys for Plaintiff  
The United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARMANDO MARIONI-CAMUNEZ,

aka "Armando Villa-Aguilar,"  
aka "Luis Rodriguez-Marioni,"  
aka "Armondo Villa Torres,"  
aka "Armondo Camunez,"  
aka "Abel David Flores,"  
aka "Luis Fernando Hernandez-Romero,"  
aka "Armando Marione,"  
aka "Armondo Marione,"  
aka "Armando Marione-Camunez,"  
aka "Armando Rodriguez Salazar,"  
aka "Armando Arma Rodriguez-Salazar,"

Defendant.

Case No. 2:20-mj-01001-DJA

**Stipulation to Extend  
Deadlines to Conduct  
Preliminary Hearing and  
File Indictment (First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.

Trutanich, United States Attorney, and Jared L. Grimmer, Assistant United States

1 Attorney, counsel for the United States of America, and Sylvia A. Irvin, Assistant Federal  
2 Public Defender, counsel for Defendant ARMANDO MARIONI-CAMUNEZ, that the  
3 Court schedule the preliminary hearing in this case for no earlier than 90 days from the  
4 date of the filing of this stipulation. This request requires that the Court extend two  
5 deadlines: (1) that a preliminary hearing be conducted within 14 days of a detained  
6 defendant's initial appearance, *see* Fed. R. Crim. P. 5.1(c); and (2) that an information or  
7 indictment be filed within 30 days of a defendant's arrest, *see* 18 U.S.C. § 3161(b).

8 This stipulation is entered into for the following reasons:

9 1. The United States Attorney's Office has developed an early disposition  
10 program for immigration cases, authorized by the Attorney General pursuant to the  
11 PROTECT ACT of 2003, Pub. L. 108-21.

12 2. The early disposition program for immigration cases is designed to: (1)  
13 reduce the number of hearings required in order to dispose of a criminal case; (2) avoid  
14 having more cases added to the court's trial calendar, while still discharging the  
15 government's duty to prosecute federal crimes; (3) reduce the amount of time between  
16 complaint and sentencing; and (4) avoid adding significant time to the grand jury calendar  
17 to seek indictments in immigration cases, which in turn reduces court costs.

18 3. The government has made a plea offer in this case that requires defendant to  
19 waive specific rights and hearings in exchange for "fast-track" downward departure under  
20 USSG § 5K3.1. This offer will be withdrawn if it is not timely accepted before this matter is  
21 indicted and before a preliminary hearing is held.

22 4. Under Federal Rule of Criminal Procedure 5.1(c), the Court "must hold the  
23 preliminary hearing within a reasonable time, but no later than 14 days after the initial  
24 appearance if the defendant is in custody . . . ."

1           5.     However, under Rule 5.1(d), “[w]ith the defendant’s consent and upon a  
2 showing of good cause—taking into account the public interest in the prompt disposition of  
3 criminal cases—a magistrate judge may extend the time limits in Rule 5.1(c) one or more  
4 times . . . .”

5           6.     Furthermore, under the Speedy Trial Act, 18 U.S.C. § 3161(b), “[a]ny  
6 information or indictment charging an individual with the commission of an offense shall  
7 be filed within thirty days from the date on which such individual was arrested or served  
8 with a summons in connection with such charges.”

9           7.     Defendant needs additional time to review t

10          8.     he discovery and investigate potential defenses to make an informed decision  
11 as to how to proceed, including whether to accept the fast-track plea agreement.

12          9.     Accordingly, the parties jointly request that the Court schedule the  
13 preliminary hearing in this case no sooner than 90 days from today’s date.

14          10.    Defendant is in custody and agrees to the extension of the 14-day deadline  
15 imposed by Rule 5.1(c) and waives any right to remedies under Rule 5.1(c) or 18 U.S.C.  
16 § 3161(b), provided that the information or indictment is filed on or before the date ordered  
17 pursuant to this stipulation .

18          11.    The parties agree to the extension of that deadline.

19          12.    This extension supports the public interest in the prompt disposition of  
20 criminal cases by permitting defendant to consider entering into a plea agreement under the  
21 United States Attorney’s Office’s fast-track program for § 1326 defendants.

22          13.    Accordingly, the additional time requested by this stipulation is allowed  
23 under Federal Rule of Criminal Procedure 5.1(d).  
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1  
2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 ARMANDO MARIONI-CAMUNEZ,

8 aka "Armando Villa-Aguilar,"

9 aka "Luis Rodriguez-Marioni,"

10 aka "Armondo Villa Torres,"

11 aka "Armondo Camunez."

12 aka "Abel David Flores,"

13 aka "Luis Fernando Hernandez-Romero,"

14 aka "Armando Marione,"

15 aka "Armondo Marione,"

16 aka "Armando Marione-Camunez,"

17 aka "Armando Rodriguez Salazar,"

18 aka "Armando Arma Rodriguez-Salazar,"

19 Defendant.

Case No. 2:20-mj-01001-DJA

**[Proposed] Order on Stipulation  
to Extend Deadlines to Conduct  
Preliminary Hearing and  
File Indictment**

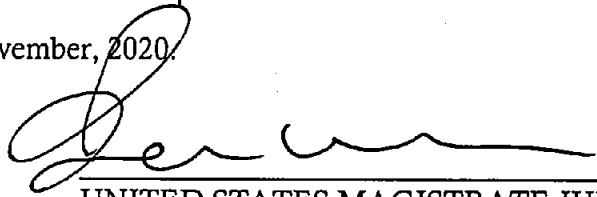
20 Based on the stipulation of counsel, good cause appearing, and the best interest of  
21 justice being served; the time requested by this stipulation being excludable in computing  
22 the time within which the defendant must be indicted and the trial herein must commence  
23 pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b) and (h)(7)(A), and Federal Rule of  
24 Criminal Procedure 5.1, considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv):

/ / /

/ / /

1 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled  
2 on \_\_\_\_\_, 2020 at the hour of 4:00 p.m., be vacated and continued to  
3 2/22/21, Courtroom #34 at the hour of 4:00pm.

4 DATED this \_\_\_\_\_ day of November, 2020.

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6 UNITED STATES MAGISTRATE JUDGE  
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